



**National Nuclear Security Administration**

*U.S. Department of Energy*

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# NEWS

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## **DOE/NNSA Cites Livermore Lab for Price-Anderson Violations**

WASHINGTON, D.C. -- The Department of Energy's (DOE) National Nuclear Security Administration (NNSA) issued a Preliminary Notice of Violation (PNOV) to the Lawrence Livermore National Laboratory (LLNL) for nuclear safety violations associated with two operational events, and radiation protection and nuclear safety management deficiencies.

The two operational events investigated highlighted weaknesses in the implementation of key elements of the LLNL worker radiation protection program, which occurred between April and August 2004. The first operational event involved a series of low-level chronic radiological plutonium uptakes to workers that occurred during waste processing operations in the Mobile Visual Examination Repackaging (MOVER) facility due to problems with the control of radioactive contamination and airborne conditions. The second event occurred in April 2005 and involved a Phosphorous-32 spill event, which resulted in the unauthorized and uncontrolled removal of radioactive material from the site.

Although no regulatory exposure limits were exceeded in either event and no one was injured, the consequences had the potential to be more significant because workplace controls were not adequate for the observed radiological conditions; LLNL did not appropriately respond to observed and changing radiological conditions; and radioactive material was allowed to be removed from the site without fully understanding the contamination levels and without the appropriate controls.

The programmatic issues of the PNOV involved failures to effectively complete reviews, which ensure adequate planning consideration is given to keeping exposures as low as reasonably achievable (ALARA Reviews); multiple technical safety requirements and design control/design documentation violations associated with maintaining the configuration of key safety aspects of LLNL facilities; and repetitive implementation deficiencies with site requirements intended to resolve unreviewed safety questions (USQ) or concerns.

Included in the PNOV is an escalated quality improvement violation. This escalated violation is in response to two separate and significant failures in LLNL's quality improvement processes. First, LLNL failed to effectively track and correct Radiological Program deficiencies, and failed to develop an effective process to capture and report radiological deficiencies that are identified during activities such as the MOVER operation. Second, LLNL failed to address deficiencies associated with implementing an effective Configuration Management and USQ Program. Due to the combined significance of these failures, the violation was escalated from a Severity Level II to a I, and a two day fine was assessed, based on the recurring nature of the underlying deficiencies and the multiple prior notices of the deficiencies given by DOE/NNSA through various assessment reports and related correspondence.

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The PNOV included a proposed civil penalty of \$588,500 for all of the violations; however, this penalty is waived by statute for LLNL.

The Price-Anderson Amendments Act of 1988 authorizes the Energy Department to undertake regulatory actions against contractors for violations of its nuclear safety requirements. The enforcement program encourages DOE contractors to identify and correct nuclear safety deficiencies at an early stage, before they contribute to or result in more serious events.

Additional details on this and other enforcement actions are available on the Internet at <http://www.eh.doe.gov/enforce>.

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